

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

EWING et al.

Serial No. Not Yet Assigned

Filed: March 23, 2004Title: **REMOTE POWER CONTROL SYSTEM**

(This is a Continuation application of U.S. Patent Application S/N 10/758/117 filed January 16, 2004 which is a Divisional of U.S. Patent Application S/N 09/375,461 filed August 16, 1999 which is a Continuation-In-Part of U.S. Patent Application S/N 08/685,436 filed July 23, 1996, now U.S. Patent No. 5,949,974)

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Filing Form For Continuation U.S. Patent Application;
- (3) Continuation application including:
  - 29 Pages Application Consisting of:
    - 22 Pages of Textual Specification,
    - 2 Pages of 5 Claims,
    - 1 page containing the Abstract of the Disclosure,
    - 4 sheets of drawings;
- (4) **Preliminary Amendment with Attachments A and B to be examined before fee calculation;**
- (5) Copy of executed Declaration from parent application with Revocation and Power of Attorney and Statement Under 37 CFR 3.73(b) for parent application;
- (6) Copy of Assignment from parent application;
- (7) Check No. 20701 \$ 502.00 for filing fee and additional claims as a small entity;
- (8) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By: 

Robert C. Ryan  
Registration No. 29,343  
Marvin C. Berkowitz  
Registration No. 47,421  
Customer No. 20529

Date: March 23, 2004  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street, NW - 6<sup>th</sup> Floor  
Washington, D.C. 20005  
GMN/MCB/dd:CONTappl.tran

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**FILING FORM**

**FOR CONTINUATION U.S. PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. This is a Request for filing a
- ☒ Continuation Application under:
    - ☒ 37 CFR § 1.53(b)(1)
    - ☐ Divisional Application under:
      - ☐ 37 CFR § 1.53(b)(1)
      - ☐ Continuation-In-Part (CIP) application
        - ☐ 37 CFR § 1.53(b)(2)

of **prior U.S.** ("parent") application:

Serial No. 10/758,117  
Filed: January 16, 2004

Which is a Divisional of **prior U.S.** application:

Serial No. 09/375,461  
Filed: August 16, 1999



Which is a Continuation-In-Part of **prior U.S.** application:  
Serial No. 08/685,436 now U.S. Patent 5,949,974  
Filed: July 23, 1996

2. ☒ \*Enclosed for application under 37 CFR §§ 1.53(b) are:  
25 pages of text (specification, claims, abstract)  
5 claims  
2 sheets of drawings

3. The **present** application names the following inventor(s):

Carrel W. EWING and Andrew J. CLEVELAND

       (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated from the **Preliminary Amendment** as follows:

       Enter the Amendment filed in the prior patent application on                      prior to calculating the filing fee.

☒ Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

(Col 1)			(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	33	minus 20	13	x9=	117		x18=	0
INDEP	3	minus 3	0	x43=	0		x84=	0
BASE FILING FEE:				+385=	385		+740=	0
xx Multiple Dependent Claims				+140=	0		+280=	0
				TOTAL	502	OR	TOTAL	0

☒ Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:

☒ was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);  
       is filed herewith;  
       will be filed at a later date.

☒ A check including the above-indicated filing fee is enclosed.

       A Petition for Extension of Time (to keep the parent case pending) is filed concurrently in the parent case.

Attorney docket no. 40026-XY

\_\_\_ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

\_\_\_ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

X The prior application is assigned of record to SERVER TECHNOLOGY, INC., of Reno, Nevada, the Assignment being recorded on \_\_\_, on Reel \_\_\_, Frame(s) \_\_\_.

\_\_\_ An original executed Declaration is enclosed.

X Amend the specification by inserting before the first line the sentence:

-- This is a Continuation application of U.S. Patent Application S/N 10/758/117 filed January 16, 2004 which is a Divisional of U.S. Patent Application S/N 09/375,461 filed August 16, 1999 which is a Continuation-In-Part of U.S. Patent Application S/N 08/685,436 filed July 23, 1996, now U.S. Patent No. 5,949,974 the contents of which are hereby incorporated by reference in its entirety.--

\_\_\_ Foreign priority under 35 U.S.C. § 119 of \_\_\_ application(s) \_\_\_, filed \_\_\_, is hereby claimed. The certified priority paper(s):

\_\_\_ was/were filed in the parent case;  
\_\_\_ is/are enclosed herewith;  
\_\_\_ will be submitted at a later date.

X The Revocation and Power of Attorney in the prior application is to Robert C. Ryan, Registration No. 29,343, Customer No. 20529 et al.

X The Revocation and Power of Attorney appears in the original papers in the prior application.

X Address all future communications to:

Robert C. Ryan  
**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> Street NW, 6<sup>th</sup> Floor  
Washington D.C., 20005-1503

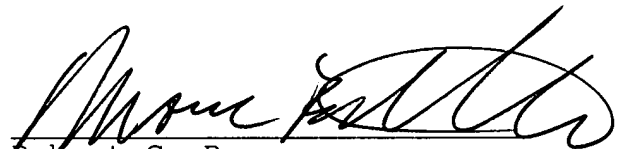
— If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: March 23, 2004



Robert C. Ryan  
Registration No. 29,343  
Marvin C. Berkowitz  
Registration No. 47,421  
Customer No. 20529

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